

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JUN FANG,

Plaintiff,

v.

JOYBUY, JOYBUY EXPRESS, JOYBUY
AMERICA, AND JOYBUY FASHION

Defendants.

Case No. 1:23-cv-04792

Judge Sharon Johnson Coleman

UNOPPOSED MOTION TO EXTEND DEADLINE

Defendants Joybuy, Joybuy Express, Joybuy America, and Joybuy Fashion (collectively, “the Joybuy Marketplace”) respectfully file this unopposed motion to extend the deadline for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint by twenty-one (21) days, up to and including October 17, 2023.

1. On October 6, 2022, Plaintiff filed the litigation captioned *Trademark Rightsholder Identified in Exhibit 1 v. P’ships & Unincorporated Ass’ns Identified on Schedule "A"*, No. 1:22-cv-05746 (N.D. Ill.) (“First Fang Case”) against the Defendants identified in Schedule A to the Complaint for alleged infringement of Plaintiff’s intellectual property. There, Plaintiff identified the Joybuy Marketplace as Defendants 36–39. (First Fang Case, Dkt. No. 4.)

2. On January 24, 2023, Plaintiff filed a Summons Returned Executed in the First Fang Case. (*Id.* at Dkt. No. 57.)

3. The Joybuy Marketplace does not concede that the purported service was appropriate or that service has been properly perfected on the Joybuy Marketplace.

4. On February 1, 2023, the Joybuy Marketplace filed a motion to sever in the First Fang Case. (*Id.* at Dkt. No. 59.)

5. On June 16, 2023, the Court granted the Joybuy Marketplace's motion to sever. (*Id.* at Dkt. No. 103.)

6. On July 28, 2023, the Court issued an Order of the Executive Committee ("Order"), which consolidated the Joybuy Marketplace in the above-captioned litigation. The Order was docketed into the Court's CM/ECF system on July 31, 2023.

7. For purposes of this motion, the deadline for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint is purportedly on August 21, 2023, which is twenty-one (21) days from the date on which the Order was docketed into the Court's CM/ECF system.

8. On August 23, 2023, the Court granted the Agreed Motion to Extend Deadlines (Dkt. No. 4) and extended the time for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint up to and including September 26, 2023.

9. The Parties are currently engaged in settlement negotiations and seek additional time to attempt to resolve this matter.

10. On September 23, 2023, the Parties agreed to a twenty-one (21) day extension of time for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint, up to and including October 17, 2023. Plaintiff does not oppose this motion.

11. This is the Joybuy Marketplace's second request for an extension of time.

12. The Joybuy Marketplace has not waived any objection or defense, including defenses under Federal Rule of Civil Procedure 12(b), by filing this unopposed motion for extension of time.

13. No Party will be prejudiced by the requested extension.

14. The requested extension is made in the interests of justice and not for the purposes of delay.

Date: September 23, 2023

/s/ Wallace H. Feng

David M. Airan

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Joybuy Fashion

CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2023, a true and correct copy of the foregoing document was filed electronically through the Court's CM/ECF system with notice of case activity automatically generated and sent electronically to counsel of record.

/s/ Wallace H. Feng

Wallace H. Feng

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